

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT LAFAYETTE

IN THE MATTER OF:

JEAN LURA ATKINSON

Debtor

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CASE NO. 06-40095

DECISION AND ORDER

At Fort Wayne, Indiana, on May 12, 2006.

This case was dismissed on May 2, 2006, due to the debtors' failure to file a scanned copy of the originally signed signature pages as required by the court's order authorizing electronic case filing. Fifth Amended Order Authorizing Electronic Case Filing ¶ 11. On May 4, 2006, the debtors filed a motion to reopen and reinstate this case apparently asking the court to vacate the order of dismissal. The motion is insufficient. To begin with, this court has previously held that a case which has been dismissed cannot be reopened. Matter of Garcia, 115 B.R. 169, 170 (Bankr. N.D. Ind. 1990). To the extent that the motion should be construed as a request to alter or amend the court's order, filed pursuant to Rule 59(e), it fails to identify any error of law or fact, see, Deutsch v. Burlington Northern R. Co., 983 F.2d 741, 744 (7th Cir. 1993)(citing Figgie International, Inc. v. Miller, 966 F.2d 1178, 1180 (7th Cir. 1992)), and has not been accompanied by a brief in support thereof as required by the local rules of this court. N.D. Ind. L.B.R. B-9023-1.

Debtors' motion to reopen and reinstate this case is therefore DENIED.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court